

1887-018
Lee Co.

Chancery Causes: A. L. Pridemore vs. Landon Irvin &c

Martin

CA-Debt
T-Property

To the Hon. John A. Kelly Judge
of the Circuit Court of Lee
County Virginia

Your Orator A. L. Pridem
humbly complaining sheweth unto
your Orator that on the 7th day
of December 1882, he sold to one
Landon Irvin a small tract of
land, 44 acres at the price of \$12
per acre, amounting to the sum of
\$528, made payable, in five
equal annual installments with
interest from date - For which
the said Irvin executed his five
several bonds made payable
as aforesaid for \$105.60 each.
on three of which the said Irvin
gave as security on R. D. Martin
who signed three of said bonds
But your Orator admits that
said R. D. Martin was only to
stand security for half of
said sum being $2\frac{1}{2}$ of said
bonds - He claims no more than
that now. On the first of them there
is a credit of five dollars the
remainder is all due two of
these bonds are only due, now

and upon one of them your
Orator has institute his suit at
law, which is now pending in
this Honorable Court.

Since the Institution thereof R. D.
Martin has removed from this Com-
monwealth and is now a non-res-
ident thereof. But he own a
small piece of land about 40
acres one mile South East from
Jonesville adjoining the lands of
C. J. Duncan and others, on which
there stands a dwelling house & other
out buildings. Your Orator has
a lien upon the tract so sold
as aforesaid never having made
a deed therefor, but he does not
believe it sufficient to discharge
his debt and interest but thinks
it proper & he is willing that
it be first sold out the pro-
ceeds applied, which is the main
object of this bill. This tract lies
South from Jonesville about $\frac{1}{2}$ mile
and adjoins the lands of John A. G.
Hyatt France Mules & others and
is a part of what is known as
the Turkey Pen place. The latter

object of this bill is to attach
the lands of R. D. Martin and
hold the same subject to your
order, demand against him for
the sum of \$264 of principal and
interest then from said 7th
day of December 1882, should so
much be found due after the
application of the proceeds arising
from the sales of the tract first sold
as aforesaid.

The object of this bill therefore
is to enforce said purchase money
lien so far as the same is now
due & payable; to attach the
lands of R. D. Martin for any
sums hereafter found due from
him on account of his indebtedness
aforesaid.

The premises considered therefore he prays
that Landon Brown and R. D. Martin
be made parties hereto and answer
its allegations upon oaths, and on
a hearing a decree be rendered en-
forcing said lien and selling so much
of said land as may be necessary to pay
the same and for all other just &
general relief May Supra issue &c.

A. L. Pendergast

C. \$ 5.91
 S. .50
 Dr. 5.00
 Cr. 15.00
 Estimate 10.00

836.41
 Add 6.90

857.31
 Add 1.08 to Jan 1
 " " 76 to May 187

A. L. Pridemore

vs. Beechey
 Foregnatt.

Landon Irvine et al

Jan 12 1885 Filed
 " order Publication
 " Feb. Spa bid on home
 debts + D. Nisi as to
 them + contd for O.P.
 " Mr. Decree Nisi confd as
 home debts. O.P. Confet
 + Cause set for hearing
 1885 Mr Decree + court d
 1886 Aug + court d
 1886

A. L. Pridemore	Plff.	} In Chy
Against		
Landon Irwin et al	Def.	
and		
Charles J. Hamblin	Plff.	}
Against		
R. D. Martin	Def.	

Here

Cause came on this day to be again heard upon the papers formerly read, and the plff in the first styled Cause, admitting that he had been paid a sum which he accepts in full of his demand, and that he has purchased the land attached on in the second styled Cause, and satisfied the plff in the second Cause where Counsel he is as to his debt - on his motion each of these Cause are stricken from the docket.

Ordinance
v.
Irwin
Hambley
v.
R. D. Martin
Decree
Final
Entered page 29

Enter this
March 31 1880
H. S. K. M.
(14)

A. L. Pridemore Offr.
 against } Indly.
 Landon Brown et al Sept.

shall pay said sum within 20 days
from the rising of this Court then
J. B. Fulkerson who is hereby ap-
pointed a special Commissioner for
the purpose shall proceed to sell
first the tract of land purchased ~~for~~
on a credit of one or two years, and
except so much as is required to pay
costs of suit or sale, he will require
paid in hand. He will then for any
balance found due to plaintiff sell so
much of the land attached in said
cause belonging to said R. D. Martin
on like credit as may be nec-
essary to pay the residue. He will
sell the same on some Court-day by
public out cry to the highest bid-
der, and will take bonds payable
to himself bearing interest from day
of sale with approved security.
But before proceeding to sell ~~he~~
~~will~~ or advertise he will execute
bond in a penalty of \$1000. Condi-
tion to properly perform the duties
hereunder. And will post notice
for at least 30 days on the front
door of the Court House of this
County and in the neighborhood where

He shall be setting out time terms
and place of sale. He will
report his action to this Court at
some future term and the cause is
pending.

A. L. Pilemore

73 Degree of
Dale
Landon Ironista

March 7. 1885.

Entered C.B.

Page 442

J. R. Gibson, D.C.

Enter this
Mar. 28 1885
In C.B.

Virginia Lee County to wit:
This day A. L. Pendmore per-
sonally appeared before me and
made oath that Landen Brown &
R. D. Martin are indebted to him
in the sum of \$105.60 due & pay-
able by the 7th day of Dec. 1883, with
legal interest from Dec. 7th 1882, and
in the like sum of \$105.60 due &
payable Dec. 7th 1884 with like
interest from said 7th day of Dec.
1882, and in the further sum of at
least \$52.80 which will become
due & payable on the 7th day of Dec.
1885, with the like interest from
Dec. 7th 1882, - That said R. D. Martin
as your orator is informed and
believes is a non-resident of
this Commonwealth - This
day of January 1880.

John R. Gibson clerk

A. L. Pridemo

75
E. Affolter

Sandon J. Smith

To the Hon. Jno. A. Kelly, Judge of the
Circuit Court for Lee Co. Va.:

By a decree of this Hon. Court, in favor
of the Plff., in the Chancery cause of
A. L. Pridemore

vs.

Landan Irwin et al.,

The undersigned was appointed a Commr.
to sell the land of the said Irwin and
also the land of R. D. Martin, the other
party, defendant, provided the land of
the said Irwin should fail to satisfy the
decree. Your Commr. respectfully states,
that on the 12th day of May 1885 he
advertised the land of the said Irwin, in
the manner directed by the decree, to be
sold on the 16th day of June 1885, it being
the first day of the County Court for that
month, and that accordingly on that day
your Commr. offered the said land for
sale at public ^{auction} at the front door of the
Court House and sold the same to the only
bidder, the Plff., A. L. Pridemore, for the
sum of \$275.⁰⁰. Your Commr. did not
take a bond from the purchaser for the payment

there-of, as under the circumstances he deemed it unnecessary. This proceeding of the sale of this land failing to satisfy the decree, your comr. on the 20th day of June 1885 advertised the land of the said R.D. Martin to be sold on the 21st day of the following month, it being court day, but before the arrival of that day, the parties to the suit mutual agreed that said land should not be sold, and it was accordingly not done.

Respectfully submitted,
J.B. Fulkerson comr.

A. L. Pridemore
vs. Leomr's. Report.
Landum Irvine et al.

Filed Aug. 14th 1885.
J. A. Hyatt C. C.

Know all men by these presents that we J. B. Fulkerson and A. L. Tidemore, are held and firmly bound unto the Commonwealth of Virginia in the sum of \$1000.00 for the true payment thereof to the said Commonwealth we each bind ourselves heirs &c and as to this bond we hereby waive the benefit of our homestead exemption, witness our hands and seals this 4th day of May 1885.

The condition of the above obligation is such that whereas the above bound J. B. Fulkerson was appointed Com^r, in a certain Choc Cause pending in Lee Circuit court in which A. L. Tidemore is Plff & Landon Ervin et al are Defts, to perform certain duties therein described, Now if the said Fulkerson shall faithfully perform said duties and truly account for all sum of money which he may receive as such Com^r. then this obligation to be void otherwise to remain in full force

A. J. Pickensmore
vs Bonds
Lansdown Invisioal

Filed May 4 1888
D. S. Hyatt

J. B. Chalkin
A. J. Pickensmore

Dea

and wife

A L Pridemore

Plaf

vs.

} In shay

London Irvin, et al. Dft.

I am willing
In the above styled cause
That the Plaintiff may take a decree
for the whole of his debt against me
although a part of it is not yet due
and that the decree may provide for a
sale of the land purchased by me
from the Plaintiff this 28th day
March 1885

Attest

C. L. Drayton

his
London & Irvin,
Solicitors

Landon Division
add $\frac{1}{2}$ a y kee ment

A. L. Ordmorey

Filed, Mr. 1885

J. C. Stuyatt
C. C.

Virginia

In the Clerk's Office of the Circuit Court
of Lee County, during vacation on
Monday the 12th day of January 1885-

A. L. Pordemore

Plaintiff

versus

Edw. Chcy.

Landon Irvin and R. D. Martin Defendants

The object of this suit is to enforce
the purchase money lien against the
land mentioned in the bill, so far
as the same is now due and payable
and to subject the lands of the
defendant R. D. Martin to the pay-
ment of any sums found due from
him on account of his indebtedness
set out in said bill, which has been
attached for said purpose, and
it appearing from an affidavit
filed in this cause, that the said
R. D. Martin is a non resident of
the State of Virginia; It is therefore
ordered that he appear here within
one month after due publication
of this order and do what may be
necessary to protect his interest in
this suit.

A Copy - Teste J. A. Hyatt C. C.

A. L. Pordemore P. Q.

A. L. Prudenmore
as ^{Witness} Order Pub

Landow Drvinetal

I do hereby certify
that I delivered to
the "Lee Co Sun", an
office copy of this
order for pub. on
the 12th Jan'y 1883
& posted a like
copy at the front
door of Lee C. H. at
the January term
1883. of the Co. Court

J. A. Hyatt
C. C.

The Commonwealth of Virginia,

To the Sheriff of Lee County--Greeting:

WE COMMAND YOU to summon

*Landon Irwin and
R. L. Martin*

to appear at the Clerk's office of the Circuit Court of Lee County, at the Court House, on the first Monday in
February next, being Rule Day, to answer a Bill in Chancery exhibited in our Court against
them, by

A. L. Pridemore

And have then and there this Writ. Witness, J. A. G. HYATT, Clerk of our said Court, at the Court House,
this *12th* day of *January*, 188*5*, in the 10^{*9*} year of the Commonwealth.

A Copy---Teste:

J. A. G. Hyatt C. C.

J. A. G. Hyatt, Clerk.

The officer executing this Spec. will attach the land
shown by the defendant R. D. Martin lying about
one mile S. E. from Jonesville on the Blackwater
Road, adjoining the lands of W. S. Duncan &
others, containing about 40 acres, on which there
stands a dwelling house and other out buildings
and hold the same in his hands so attached
to await the future orders of the court.

January 12 1885.

J. B. Hyatt
Clerk

A. D. Henderson

Spec. in chcy

Landon Shumate

22 February 1885

Executed by delivering
to Landon Shumate
office copy of the within
Spec, and by attaching
on the lands described
in order of attachment
belonging to R. D. Martin
one of the spets, and
also is a non resident

January 12 1885.

J. B. Hyatt

R. D. Martin

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R. L. Martin

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And have then and there this Writ. Witness, J. A. G. HYATT, Clerk of our said Court, at the Court House,

this *12th* day of *January*, 188*5*, in the 10*9* year of the Commonwealth.

J. A. G. Hyatt, Clerk.

A Copy---Teste:

The Officer executing this Spw, will attach the
lands owned by R. D. Martin, about 40 acres
one mile S. E from Jonesville on the Black
water road adjoining the lands of L. J.
Duncan & others, on which there stand
a dwelling house & other out building, and
hold the same in his hands so attached to
await the further orders of the Court.
January 12 1885. J. C. Hyatt C.

For
R. D. Martin

Publisher's Certificate.

JONESVILLE, VA., Feb 4th, 1885.
I, A. M. Goins, Publisher of the LEE COUNTY SUN,
a weekly newspaper published at Jonesville, Lee County, Virginia, do certify that the annexed
Chancery Order was published four successive weeks in said newspaper, publication ending
Feb 4th, 1885.
A. M. Goins, Publisher.

VIRGINIA—In the Clerk's office of
the Circuit Court of Lee County, dur-
ing vacation, on Monday the 12th day of
January, 1885.

IN CHANCERY.

A. L. Pridemore, Plff. vs. Landon Irvin
and R. D. Martin, Defts.

The object of this suit is to enforce the
purchase money lien against the land men-
tioned in the bill, so far as the same is
now due and payable and to subject the
lands of the defendant, R. D. Martin, to the
payment of any sums found due from said
Martin, on account of his indebtedness as
set out in said bill, which has been attached
for said purpose; and it appearing from
an affidavit filed in this cause that the de-
fendant, R. D. Martin, is a non-resident of
the State of Virginia: It is therefore or-
dered, that he appear here within one
month after due publication of this order
and do what may be necessary to protect
his interest in this suit. A copy—teste:

J. A. G. HYATT, C. C.

A. L. PRIDEMORE, P. Q.

Pub. Feb 4th 1885

A. L. Indemore

us } Pub. certif

Landon Irwin et al

Pub. fee \$5.00